



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VICTOR ALEXANDER,

Petitioner,

-v.-

SUPERINTENDENT SUSAN CONNELL,

Respondent.

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05 Civ. 9020 (WHP) (HBP)

ORDER

WILLIAM H. PAULEY III, District Judge:

Petitioner pro se Victor Alexander (“Alexander”) petitions for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging his conviction in New York State court. This action was referred to Magistrate Judge Henry B. Pitman. On April 9, 2010, Magistrate Judge Pitman issued a report and recommendation (the “Report”) recommending that Alexander’s petition be denied. The time to file objections or request an extension of time has passed, and neither party submitted an objection or requested additional time.

This Court has reviewed Magistrate Judge Pitman’s thorough and well-reasoned Report and finds that it is not facially erroneous. See 28 U.S.C. § 636(b)(1). Accordingly, this Court adopts the Report in its entirety and denies Alexander’s petition. Because Alexander has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not be issued. See 28 U.S.C. § 2253(c)(2). In addition, this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith. See Coppedge v. United States, 369 U.S. 438, 444 (1962). The Clerk of the Court is

directed to terminate all pending motions and mark this case as closed.

Dated: May 28, 2010
New York, New York

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.

Copies Mailed to:

Magistrate Judge Henry B. Pitman

Victor Alexander¹
DIN No. 03-A-3641
Woodbourne Correctional Facility
99 Prison Road
P.O. Box 1000
Woodbourne, NY 12788-1000

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¹ The Petitioner has been released to parole supervision but has not provided the Court with an updated mailing address. Accordingly, this Order has been mailed to Petitioner's last known address.